

BIRBAL SAHNI INSTITUTE OF PALAEOSCIENCES LUCKNOW

(An Autonomous Institution under the Department of
Science and Technology, Government of India)



RULES AND REGULATIONS

MARCH 31, 2013

RULES AND REGULATIONS

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BIRBAL SAHNI INSTITUTE OF PALAEOSCIENCES

RULES AND REGULATIONS

**(Approved by the Department of Science & Technology, Government of India
Letter No.AI/BSIP/010/96 dated January 28, 1997)**

1. SHORT TITLE :

1.1. These Rules and Regulations shall be called the “Rules of the Birbal Sahni Institute of Palaeosciences”.

2. DEFINITIONS :

2.1. In these Rules, unless the context otherwise requires :

- (i) “Institute” shall mean the Birbal Sahni Institute of Palaeosciences (hereinafter referred to as the Institute) ;
- (ii) “Governing Body” shall mean the body which is constituted under Rule 4 as the Governing Body of the Institute ;
- (iii) “Chairman” shall mean the Chairman of the Governing Body ;
- (iv) “Member-Secretary” shall mean the Member Secretary of the Governing Body appointed under the rules ;
- (v) “Director” shall mean the Director of the Institute appointed under the rules ;
- (vi) “Registrar” shall mean the Registrar of the Institute appointed under the rules ;
- (vii) “Bye-laws” shall mean the Bye-laws framed under Rule 19 of these rules ; and
- (viii) “Government of India” shall mean the Administrative Ministry/Department of the Government of India concerned with Science and Technology.

3. AUTHORITIES OF THE INSTITUTE :

3.1. The following shall be the authorities of the Institute :

- (i) The Governing Body
- (ii) The Chairman
- (iii) The Director
- (iv) The Registrar – Non – Member Secretary of the Governing Body
- (v) Such other individuals or bodies as may be declared or nominated by the Governing Body from time to time.

4. GOVERNING BODY :

4.1. The Governing Body of the Institute shall consist of the following :

1. An eminent expert specializing in the domain areas of the Institute or the Secretary, DST : Chairperson
2. Secretary, DST or his nominee in case she/he is not the Chairperson : Member
3. Financial Adviser, DST : Member
4. Not less than five (5) and not more than eight (8) experts specializing in domain areas of the Institute excluding the Chairperson : Members
5. Director of the Institute : Member
6. Registrar (Chief of Administration) of the Institute : Non-Member Secretary

provided that no employee of the Institute, except the Director, shall be eligible to be a member of the Governing Body.

5. TENURE OF MEMBERSHIP OF THE GOVERNING BODY :

5.1. The tenure of the Governing Body shall normally be three years, but the Governing Body shall continue to function till it gets formally reconstituted.

5.2. Where a member becomes a member by reason of the office he holds, his membership shall terminate when he ceases to hold that office.

5.3. Any casual vacancy in the office of the Chairman or of the membership of the Governing Body shall be filled up and the person so nominated in the vacancy shall hold office only for the unexpired period of the term of the person in whose place he is nominated.

5.4. The Governing Body shall function notwithstanding any vacancy in its membership so long as the total number is not reduced below five and no act or proceeding of the Governing Body shall be invalid merely by reason of such a vacancy or of any defect in the appointment of any of its members.

5.5. The Chairman may resign his office by a letter addressed to the Government of India and his resignation shall take effect from the date it is accepted by the Government.

5.6. A Member of the Governing Body shall cease to be a member :

- (i) on death ;
- (ii) on resignation ;
- (iii) upon being declared insolvent or of unsound mind ;
- (iv) on conviction of a criminal offence ; or
- (v) on his accepting a full-time appointment in the Institute except in the case of the Director.

5.7. A resignation from the membership of the Governing Body shall be tendered to the Member-Secretary and shall not take effect until it has been accepted on behalf of the Governing Body by the Chairman.

6. POWERS AND FUNCTIONS OF THE GOVERNING BODY :

6.1. The Governing Body shall be the highest executive body of the Institute. It shall be the function of the Governing Body to carry out the objectives of the Institute as set forth in the Memorandum of Association of the Birbal Sahni Institute of Palaeosciences.

6.2. The Governing Body shall be responsible for the organization, general superintendence, direction and control of the activities of the Institute and shall exercise all the powers of the Institute not otherwise provided for in these rules subject to the provisions of General Financial Rules, restriction in Delegation of Financial Power Rules, other instructions/orders in force and/or to be amended/issued by the Government of India from time to time. These powers shall also be subject to such limitations as may be imposed from time to time by the Government of India.

6.3. In furtherance of the objectives for which the Institute is established, the Governing Body may, inter-alia :

- (i) make rules and bye-laws for the conduct of the affairs of the Institute and to add to, amend, vary or rescind them from time to time with the approval of the Government of India ;
- (ii) obtain or accept grants, subscriptions, donations, gifts and bequests from Governments, Corporations, Trusts or any person for the Institute ;
- (iii) consider, approve and authorize operation of the funds of the Institute ;

- (iv) pay out of the funds belonging to the Institute the expenses incurred by the Institute from time to time, including all expenses incidental to the formation, management and administration of the Institute ;
- (v) acquire, hold and dispose off property in accordance with the prescribed procedures provided that the assets acquired wholly or substantially out of the Government finance should not, without prior sanction of the Government, be disposed off, encumbered or utilized for purposes other than those for which grants are sanctioned ;
- (vi) The proposal for creation, abolition, upgradation and re-designation of scientific, technical, administrative posts may be finalized by the Governing Body with the approval of the Government of India. Similarly the filling up of vacant Scientific, Technical and Administrative posts may be finalized by the Governing Body in accordance with the Government's Rules, Regulations and Instructions issued from time to time.
- (vii) constitute committees or sub-committees as it may deem fit to carry out the objectives of the Institute ;
- (viii) delegate by resolution to its Chairman such of its powers for the conduct of business as it may deem fit, subject to the condition that the action taken by the Chairman under the powers delegated under these rules shall be reported for information at the next meeting of the Governing Body ;
- (ix) delegate any power to the Director or to any authority or any of the committees or sub-committees constituted by it ;
- (x) consider and approve the Annual Report, the Annual Accounts and the Budget Estimates of the Institute and submit them to the Government of India ; and
- (xi) to do all such acts and things as are incidental or conducive to the discharge of its function and attainment of any or more objectives given in the Memorandum of Association of the Birbal Sahni Institute of Palaeosciences.

7. MEETINGS OF THE GOVERNING BODY:

7.1. The Governing Body shall hold at least two meetings in a financial year, preferably during September and February.

7.2. Special meetings of the Governing Body may be called at any other time by the Chairman either on his own initiative or at the request of not less than five members of the Governing Body.

7.3. Not less than fifteen days' written notice of every meeting of the Governing Body shall be given to each member of the Governing Body, provided that the Chairman, for reasons to be recorded in writing, may call a meeting at such shorter notice as he may think fit. Every notice calling a meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall, except as otherwise provided in these rules, be under the signature of the Director or the Registrar (Non-Member Secretary).

7.4. The Director who is also a member of the Governing Body or the Registrar (Non-Member Secretary of the Governing Body) with the consent and approval of the Director shall prepare agenda and a copy thereof shall be sent to all members of the Governing Body so as to reach them preferably seven days before the meeting. Nevertheless, the proceedings of any meeting shall not be invalidated merely on account of any inadvertence in respect of such notice/agenda or by the accidental omission to give or non-receipt of any notice/agenda by any member or by reason of any business being considered which is not included in the agenda.

7.5. The Registrar (Non-Member Secretary) shall maintain a register of Governing Body members with their names and addresses and the members of the Governing Body present in a particular meeting shall sign the register.

7.6. Every meeting of the Governing Body shall be presided over by the Chairman and in his absence, by a member chosen by the members present at the meeting to preside for the occasion.

7.7. Five members of the Governing Body present in person shall constitute a quorum at any meeting of the Governing Body.

7.8. Each member of the Governing Body, including the Chairman, shall have one vote and if there be an equality of votes on any issue to be decided by the Governing Body, the Chairman shall, in addition, have a casting vote.

7.9. If there is no quorum at the expiry of fifteen minutes after the time fixed for a Governing Body meeting, the meeting shall be adjourned to such a time/date as the Chairman may fix. No quorum shall be necessary for a meeting adjourned for want of quorum.

7.10. Subject to provisions as herein mentioned, in case of difference of opinion amongst the members of the Governing Body, the opinion of the majority shall prevail.

7.11. The Governing Body may refer any issue, which in its opinion is of sufficient importance to justify such a reference, for the decision of the Government of India.

7.12. The Registrar (Non-Member Secretary) in consultation with the Director shall prepare the minutes of every meeting of the Governing Body and after approval by the Chairman circulate copies thereof to the members of the Governing Body and to the Government of India with the approval of the Director.

7.13. Any business which may be necessary for the Governing Body to perform, may be carried out by circulation amongst all the members and any resolution so circulated and approved by a majority of the members signing shall be as effectual and binding, as if such resolution had been passed at a meeting of the Governing Body, provided that at least five members of the Governing Body have recorded their views on the resolution. Such resolutions may be placed in the next meeting of the Governing Body for noting.

8. CHAIRMAN:

8.1. The Chairman shall preside over all the meetings of the Governing Body and other committees of which he is a member.

8.2. The Governing Body may, by resolution, delegate to the Chairman such of its powers for the conduct of business as it may deem fit, subject to the condition that the action taken by the Chairman under the powers delegated under these rules shall be reported for information at the next meeting of the Governing Body.

8.3. In emergent cases, the Chairman may exercise the powers of the Governing Body and appraise the Governing Body of the action taken by him.

9. DIRECTOR:

9.1. The Director of the Institute shall be appointed by the Governing Body with the approval of the Government of India. The tenure of the appointment of the Director shall ordinarily be for a period of five years or till the date of the superannuation whichever is earlier. He shall hold office on such terms and conditions as may be decided by the Governing Body with the approval of Government of India from time to time.

9.2. In the event of the post of Director remaining vacant for any reason, it shall be open to the Governing Body to authorize any scientist to perform current duties of the Director, till a Director is appointed.

9.3. The Director shall be the academic as well as administrative head of the Institute. All members of staff of the Institute shall be under the general control of the Director who may issue standing orders from time to time as may be necessary. The

Director shall prescribe the duties of all officers and employees of the Institute and shall exercise such supervision and disciplinary control as may be necessary, subject to rules and bye-laws and any other instructions that may be issued by the Governing Body from time to time.

9.4. It shall be the duty of the Director to coordinate and exercise general supervision over all research, training and other activities of the Institute.

9.5. Subject to rules, the Director shall have the power to sanction all expenditure within the approved budget and to make reappropriations.

9.6. The Director shall have the power to negotiate and enter into contracts on behalf of the Institute and to vary or rescind such contracts.

9.7. The Director shall submit the Annual Report of the Institute to the Governing Body during its meeting to be held after the close of the financial year but not later than the ensuing September.

9.8. It shall be the duty of the Director to see that the provisions of the Memorandum of Association, Rules and Regulations and the Bye-laws including Staff Rules are duly observed.

9.9. The Director may constitute advisory committees with such functions as he may assign to them.

9.10. The Director may, with the concurrence of the Governing Body delegate his powers to the extent necessary to any other authority established under these rules.

9.11. In emergent cases which require immediate action by the Chairman who would have dealt with that emergency, is not available, the Director shall take such action as he deems proper, except the imposition of major penalties, and shall report the same to the Chairman at the earliest.

10. APPOINTMENTS:

10.1. Subject to the Rules and Bye-laws, the Governing Body or any authority or body whom the Governing Body may authorize on its behalf, shall have the power to appoint all categories of staff, to fix the amount of their remuneration, subject to budget provision, and to define their duties.

11. FINANCE AND BUILDING COMMITTEE:

11.1. The Governing Body shall constitute a Finance and Building Committee consisting of the following :

- | | |
|------------------------------|----------|
| (i) Chairman, Governing Body | Chairman |
|------------------------------|----------|

(ii) Financial Adviser, Government of India or his nominee	Member
(iii) & Two Nominees of the Governing Body (iv) of whom one should be a Civil Engineer	Members
(v) Director (Ex-officio)	Member
(vi) Registrar (Ex-officio)	Non-Member Secretary

11.2. The tenure of the nominated members of the Finance and Building Committee shall normally be three years.

11.3. Three members of the Finance and Building Committee including the Financial Adviser, Government of India or his nominee present in person shall constitute a quorum at any of its meeting. In the absence of the Chairman, a member chosen by the members present at the meeting shall preside for the occasion.

11.4. The matters to be considered by the Finance and Building Committee will include the following :

- (i) review of the finances of the Institute from time to time ;
- (ii) consideration of the budget estimates of the Institute and making recommendations to the Governing Body ;
- (iii) consideration and making recommendations to the Governing Body on proposals for new expenditure on account of major works and purchases ;
- (iv) consideration of the accounts, reappropriation statements and replies to important paras of audit report and make recommendations thereon ; and
- (v) tendering advice and making recommendations to the Governing Body on any other financial or building matter relating to the affairs of the Institute.

12. FINANCIAL YEAR:

12.1. The Financial Year of the Institute shall be from the 1st of April of a year to the 31st of March of the year following.

13. FUNDS OF THE INSTITUTE:

13.1. The funds of the Institute shall consist of the following :

- (i) all grants made by the Government of India ;
- (ii) all fees and other charges received by the Institute ;
- (iii) all moneys received by the Institute by way of grants, gifts, donations or other contributions ; and
- (iv) income from properties and investments.

13.2. All moneys credited to the funds of the Institute shall be deposited in such banks and accounted for in such manner as the Governing Body may decide. Investment of any surplus funds not needed for immediate requirements of the Institute shall be only in deposits in Nationalized Banks or Government Securities or such other modes as may be specifically permitted/approved by the Government of India.

13.3. The bank accounts of the Institute shall be kept in the name of the “Birbal Sahni Institute of Palaeosciences, Lucknow” and shall be operated upon jointly, by :

- (i) the Director, or, in his absence, the Seniormost Scientist, and
- (ii) the Registrar, or, in his absence, the Accounts Officer.

14. BUDGET ESTIMATES:

14.1. The annual budget estimates of the Institute shall be approved by the Governing Body and after approval, it shall be forwarded to the Government of India for final approval.

15. APPROPRIATION:

15.1. The funds of the Institute shall normally be appropriated for expenditure only on items which have been approved by the Governing Body. However, the funds provided in the sanctioned estimates shall be deemed to be at the disposal of the Governing Body, which shall have full powers to appropriate sums there from to meet the expenditure of the Institute.

16. REAPPROPRIATION:

16.1. The Director shall have the power to make reappropriations subject to the following conditions :

- (i) Reappropriations to augment the provisions under the heads “SALARIES”, “ALLOWANCES” and “PENSIONARY BENEFITS” except that the payments on account of arrears of salary and allowances as a result of promotions made under the approved schemes of the Institute, enhancement of allowances, interim relief, bonus etc., as announced by the Government of India from time to time, shall require the prior consent of the Governing Body ;
- (ii) No reappropriations shall be made from funds provided under Plan Heads to Non-Plan Heads ; and
- (iii) Reappropriations within the heads of non-recurring expenditure to cover expenditure on a new project not included in the budget shall require the prior consent of the Governing Body.

All reappropriations will be made in accordance with the orders, instructions, rules, regulations, etc. issued by the Government of India from time to time.

17. ACCOUNTS AND AUDIT:

17.1. The accounts of the Institute shall be maintained in such manner as may be approved by the Governing Body. The Registrar shall be responsible for the proper maintenance of the Accounts of the Institute.

17.2. The accounts of the Institute shall be audited annually by a Chartered Accountant as defined in the Chartered Accountants Act, 1949 (XXVIII of 1949), to be appointed by the Governing Body.

17.3. The Comptroller and Auditor General of India shall have the right to demand production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

17.4. The accounts of the Institute as audited and certified by the Chartered Accountant alongwith the audit report shall be forwarded annually to the Government of India.

18. ANNUAL REPORT:

18.1. The Annual Report of the Institute shall be caused to be prepared by the Director and shall be submitted, not later than September following the financial year to which the Report relates. After approval by the Governing Body, it shall be forwarded to the Government of India and also filed with the Registrar, Firms, Societies and Chits together with other documents prescribed.

19. BYE-LAWS:

19.1. The Governing Body shall have the power to frame bye-laws, not inconsistent with the rules, and to alter, amend and rescind them from time to time, with the approval of the Government of India.

19.2. Without prejudice to the generality of the foregoing provisions, such bye-laws may provide for the following matters :

- (i) preparation and sanction of budget estimates, sanctioning of expenditure, making and execution of contracts, investments of the funds of the Institute and sale or alteration of such investment, and accounts and audit ;
- (ii) powers, functions and conduct of business of standing advisory bodies or committees and other sub-committees as may be constituted from time to time, and the term of office of their members ;
- (iii) procedure for appointment of the officers and the staff of the Institute ;
- (iv) terms and tenure of appointments, emoluments, allowances, rules of discipline, leave rules and other conditions of services of the officers and staff of the Institute ;
- (v) terms and conditions for participating in international programmes, for attending conferences, congresses, meetings, expeditions, study and lecture tours abroad ;
- (vi) terms and conditions for scholarships; research schemes, projects, prizes, awards etc. ;
- (vii) research and development programmes of the Institute including consultancy, contract research and contract training ;
- (viii) selection of scientists under the Emeritus Scientist, Visiting Scientist and Birbal Sahni Professorship schemes ; and
- (ix) such other matters as may be necessary for furtherance of the objectives and proper administration of the affairs of the Institute including those which by these rules are to be or may be prescribed by the Bye-laws.

20. AMENDMENT OF RULES:

20.1. Any alterations, additions, or deletions in these rules shall be effected by a resolution passed in a meeting of the Governing Body and subsequent approval of the Government of India.

21. ESSENTIAL CERTIFICATE:

21.1. We, the following members of the Governing Body, certify that the above is a correct copy of the Rules and Regulations of the Institute :

S No	Name	Designation/Address	Signature
1.	Dr S C D Sah	No.9, Vikasapuram Enclave New Forest Dehradun	
2.	Prof M S Srinivasan	Department of Geology Banaras Hindu University Varanasi	
3.	Prof S P Singh	Vice Chancellor Lucknow University Lucknow	

Dated : October 31, 1996
